

L. SEVILLE PARKS,)	3:04-CV-615-KJD (RAM)
)	
Plaintiff,)	
)	
vs.)	<u>REPORT AND RECOMMENDATION</u>
)	<u>OF U.S. MAGISTRATE JUDGE</u>
RICHARD FALGE, et al.,)	
)	
Defendants.)	
)	

Plaintiff has filed a Motion to Dismiss without Prejudice (Doc. #136). In his Motion Plaintiff requests that the court enter an order dismissing this case without prejudice. Plaintiff's Motion should be granted.

IT IS THEREFORE RECOMMENDED that the District Judge enter an order dismissing this case without prejudice.

1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, specific written objections to this Report and Recommendation within ten (10) days of receipt. These objections should be titled “Objections to Magistrate Judge’s Report and Recommendation” and should be accompanied by points and authorities for consideration by the District Court.

1 2. That this Report and Recommendation is not an appealable order and that any notice
2 of appeal pursuant to Rule 4(a)(1), Fed. R. Civ. P., should not be filed until entry of the District Court's
3 judgment.

4 DATED: May 25, 2006.

A handwritten signature in black ink, appearing to be "D. W. [unclear]", written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE